

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MRI SOFTWARE LLC,)	CASE NO.: 1:12-cv-01082
)	
Plaintiff,)	
)	JUDGE: Christopher A. Boyko
vs.)	
)	
LYNX SYSTEMS, INC.,)	
)	
Defendant.)	
)	

MOTION TO EXTEND FACT DISCOVERY OF LYNX

Plaintiff, MRI Software LLC (“MRI”), hereby respectfully moves the Court for an extension of time to complete fact discovery of Defendant, Lynx Systems, Inc. (“Lynx”). The Court’s December 18, 2012 Order set forth the following dates:

- Non-expert Discovery due by 5/15/2013;
- Expert reports due by 7/1/2013 and 8/15/2013;
- Expert Discovery due by 10/1/2013; and
- Dispositive Motions due by 11/15/2013.

This is the second request for an extension of the deadlines in the case. The first request was jointly made to allow time for the parties to complete negotiations of the Stipulated Injunction Order. (Doc. No. 38.) As set forth in MRI’s February 7, 2012 Motion to Compel Discovery and memoranda in support thereof (Doc. Nos. 45 and 51), and as further set forth in MRI’s April 15 Notice of Outstanding Discovery (Doc. No. 67), without substantial justification, Lynx has failed to produce documents and information MRI has requested throughout the fact discovery period, and has refused to make its witnesses available for deposition. Indeed, MRI continues to await

numerous documents requested from Lynx in *June 2012*. Moreover, except for one three-hour deposition expressly ordered by the Court on September 19, 2012, Lynx has refused to make *any* of its witnesses available for deposition in response to MRI's notices served in June and December 2012.

Accordingly, MRI respectfully requests that it have sixty (60) additional days to complete discovery of Lynx, after the time that Lynx cures the discovery deficiencies summarized in MRI's April 15 Notice of Outstanding Discovery. If Lynx provides the outstanding discovery promptly, MRI does not foresee a need to extend the subsequent case deadlines.

April 17, 2013

Respectfully submitted,

By: /s/ Georgia Yanchar
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CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2013 a true and correct copy of the foregoing was filed electronically with the Court using the CM/ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt and parties may access this filing through the Court's System.

/s/ Georgia E. Yanchar
One of the Attorneys for Plaintiff